

To: Jolish, Taly[jolish.taly@epa.gov]; Andrea.Hogan@lw.com[Andrea.Hogan@lw.com]; Kelly.Richardson@LW.com[Kelly.Richardson@LW.com]; Steven.Lesan@lw.com[Steven.Lesan@lw.com]
Cc: thompson, rachel[e][thompson.rachel[e]@epa.gov]; 'Scott A. Bourne'[SAB@weiss.com]; jamie.eby@ch2m.com[jamie.eby@ch2m.com]
From: Catherine W. Johnson
Sent: Wed 12/9/2015 8:39:19 PM
Subject: RE: Agenda for Meeting

Clarification – the offer below on immediate access extends to discharges, if any, from any outfalls or seams, whether such seams have been previously identified or not. Again, we understand tomorrow afternoon would be optimal time to sample, and we are prepared to provide access.

From: Jolish, Taly [mailto:jolish.taly@epa.gov]
Sent: Wednesday, December 09, 2015 12:25 PM
To: Catherine W. Johnson; Andrea.Hogan@lw.com; Kelly.Richardson@LW.com; Steven.Lesan@lw.com
Cc: thompson, rachel[e]; 'Scott A. Bourne'; jamie.eby@ch2m.com
Subject: RE: Agenda for Meeting

I have to leave right at 5pm, but still believe that Rachelle and I will have little to contribute today. We do however need a call-in number as soon as possible. I'm include Jamie Eby on this distribution, because he will be the one on our team to call in. Thanks.

From: Catherine W. Johnson [mailto:CJohnson@hansonbridgett.com]
Sent: Wednesday, December 09, 2015 12:17 PM
To: Jolish, Taly <jolish.taly@epa.gov>; Andrea.Hogan@lw.com; Kelly.Richardson@LW.com; Steven.Lesan@lw.com
Cc: thompson, rachel[e] <thompson.rachel[e]@epa.gov>; 'Scott A. Bourne' <SAB@weiss.com>
Subject: Agenda for Meeting

All,

We have a few issues that we believe are important to discuss, and which we expect will take a full two hours. If an additional meeting is required to discuss additional issues, we can do that too, but we would like to discuss these issue as the foundation for other discussions – both as to a

legal and technical foundation for future sampling.

Among other things, we are concerned that this initial request for sampling will be followed by other requests, and that this may delay the entire remedy selection unless we all understand what we are doing, why we are doing it, and whether the data can be used by EPA and for what purpose. We want to ensure that we address these issues thoughtfully and comprehensively rather than on an emergency basis. We do not want a sampling effort that EPA does not fully endorse and approve – particularly if it only serves to undermines EPA's own data, defers the remedy selection, and/or requires additional and duplicative sampling by either party.

Meanwhile, we again extend two offers we have made in the past and which are still open. First, EPA is welcome to conduct sampling that it believes appropriate. Second, LRTC is willing to provide access to Montrose to collect sampling activities to identify any discharges from any outfalls or seams under wet weather conditions - -subject to execution of an access agreement, which we previously provided and except for scope is the same agreement we previously executed for the recon activities.

Finally, if Montrose provides us with information about any other sampling activities that must be conducted during wet weather conditions, we will triage our efforts to address those issues during our meeting.

Best,

Catherine